

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 31, 2023**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NATHAN M. DEE,

Defendant.

No. 4:23-CR-06008-MKD

PROTECTIVE ORDER

**ECF No. 16**

Before the Court is the parties' Stipulation for Protective Order Regarding Identification of Minor Victim Pursuant to 18 U.S.C. § 3509, ECF No. 16. The parties stipulate that the discovery in this matter includes bona fide identity, image, and personal identifying information "PII" of an alleged child victim.

The Court has reviewed the stipulation, the record, and is fully informed. The Court finds applicable to this case the privacy protection measures mandated by 18 U.S.C. § 3509(d), which apply when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation or a witness to a crime committed against another person.

1 Accordingly, **IT IS ORDERED:**

2 1. The Stipulation for Protective Order Regarding Identification of  
3 Minor Victims pursuant to 18 U.S.C. § 3509, **ECF No. 16**, is **GRANTED**.

4 2. The privacy protection measures mandated by 18 U.S.C. § 3509(d),  
5 which apply when a case involves a person under the age of eighteen years who is  
6 alleged to be a victim of a crime of sexual exploitation, or a witness to a crime  
7 committed against another person, apply to this case.

8 3. All persons acting in this case in a capacity described in 18 U.S.C.  
9 § 3509(d)(1)(B) shall:

10 a. Keep all documents that disclose the names, identities, personal  
11 identifying information (“PII”) or any other information concerning  
12 minors in a secure place to which no person who does not have reason  
13 to know their contents has access;

14 b. Disclose such documents or the information in them that  
15 concerns minors only to persons who, by reason of their participation  
16 in the proceeding, have reason to know such information;

17 c. Not permit Defendants to review discovery outside the presence  
18 of defense counsel or a defense investigator;

1 d. Not permit Defendants to keep discovery in their own  
2 possession outside the presence of defense counsel or a defense  
3 investigator; and

4 e. Not permit Defendants to keep, copy, or record the identities of  
5 any minor or victim identified in discovery in this case.

6 3. All papers to be filed in Court that disclose the names or any other  
7 information identifying or concerning minors shall be filed under seal without  
8 necessity of obtaining a Court order, and that the person who makes the filing shall  
9 submit to the Clerk of the Court:

10 a. The complete paper to be kept under seal; and

11 b. The paper with the portions of it that disclose the names or  
12 other information identifying or concerning children redacted, to be  
13 placed in the public record.

14 4. The parties and the witnesses shall not disclose minors' identities  
15 during any proceedings connected with this case. The parties and witnesses will  
16 refer to alleged minor victims only by using agreed-upon initials or pseudonyms  
17 (e.g., "Minor Victim 1"), rather than their bona fide names, in motions practice,  
18 opening statements, during the presentation of evidence, in closing arguments, and  
19 during sentencing.

1           5.     The United States may produce discovery to each Defendant that  
2 discloses the bona fide identity, images, and PII of the alleged minor victim, in  
3 order to comply with the United States' discovery obligations. Defendants and  
4 their respective defense team, including counsel, investigators, and all of their  
5 externs, employees, and/or staff members, shall keep this information confidential  
6 as set forth above.

7           6.     This protective order shall apply to any attorneys who subsequently  
8 become counsel of record, without the need to renew or alter it.

9           7.     This protective order shall apply to the bona fide identity, images, and  
10 PII of any minors who are identified over the course of the case, whether or not  
11 such minors are known to the United States and/or Defendants at the time this  
12 protective order is entered.

13           **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
14 Order and provide copies to counsel.

15           DATED March 31, 2023.

16                               *s/Mary K. Dimke*  
17                               MARY K. DIMKE  
18                               UNITED STATES DISTRICT JUDGE  
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